

January 13, 2022

VIA ECF

The Honorable Lorna G. Schofield
 United States District Court for the Southern District of New York
 40 Foley Square
 New York, NY 10007

Re: Catherine McKoy, et al. v. Trump Corp., et al., 1:18-cv-9936 (LGS)

Dear Judge Schofield:

The parties write in response to the Court's order dated January 6, 2022. (Doc. No. 354.) Pursuant to that order, the parties have conferred on a revised discovery schedule to account for the current challenges associated with reviewing unaired *Celebrity Apprentice* footage in the custody of non-parties JMBP, LLC and Metro-Goldwyn-Mayer Studios Inc. In doing so, the parties have sought to minimize disruption to the existing schedule, while being guided by current estimates from the scientific community about the expected length and trajectory of the Omicron surge. The parties agree that any extension of the existing discovery schedule is not an extension on or reason to delay any discovery matters unrelated to the *Celebrity Apprentice* footage.

Accordingly, as reflected in the attached proposed Fifth Amended Case Management Plan and Scheduling Order, the parties would request that the end of the fact discovery period be extended by two months (from April 29 to June 29, 2022), while the other deadlines, including the deadline for expert discovery, be extended by one month only. The parties would further request that the interim deadlines for expert discovery, which were separately proposed in a joint letter on August 13, 2021 (Doc. No. 319), be modified as follows:

Event	Original Date (Doc. No. 319, as amended by Doc. No. 326)	Revised Date
Affirmative Expert Identification	June 30, 2022	July 15, 2022
Affirmative Expert reports	August 19, 2022	September 2, 2022
Rebuttal Expert Identification	August 26, 2022	September 9, 2022
Rebuttal Reports	October 21, 2022	November 4, 2022
Close of Expert Depositions & Expert Discovery	November 18, 2022	December 19, 2022

The parties agree to meet and confer should Omicron or another variant pose additional challenges besides the ones currently known and foreseen. We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Roberta A. Kaplan

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